

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
BRENT CRUCETA,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.
----- X

**JUDGMENT
PURSUANT TO RULE 68**

10-CV-5059 (FB)(JO)

WHEREAS, plaintiff commenced this action by filing a complaint on or about November 2, 2010 and an Amended Complaint on January 27, 2011, alleging that defendants violated plaintiff's federal civil and state common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, on April 13, 2011, pursuant to Rule 68 of the Federal Rules of Civil Procedure, defendant City made plaintiff Brent Cruceta an Offer of Judgment; and

WHEREAS, on April 27, 2011, plaintiff Brent Cruceta accepted defendant City's Rule 68 Offer of Judgment;

NOW, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Pursuant to Rule 68 of the Federal Rules of Civil Procedure, plaintiff Brent Cruceta will take judgment against defendant City of New York in this action for the sum of Forty Thousand and One (\$40,001.00) Dollars, plus reasonable attorneys' fees, expenses and costs for plaintiff's federal claims to April 13, 2011.

2. This judgment shall be in full satisfaction of all federal and state law claims or rights that plaintiff Brent Cruceta may have to damages, or any other form of relief, arising out of the alleged acts or omissions of the defendants, or any official or employee, either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action.

3. This judgment shall not be construed as an admission of liability by any defendant, official, employee, representative or agent, past or present, of the City of New York, or agency thereof; nor it is an admission that plaintiff has suffered any damages.

4. Acceptance of the Rule 68 Offer of Judgment acts to release and discharge all defendants; their successors or assigns; and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, from any and all claims that were or could have been alleged by plaintiff Brent Cruceta in the above-referenced action.

5. Acceptance of the offer of judgment operated to waive plaintiff's right to any claim for interest on the amount of the judgment.

Dated: New York, New York
July __, 2011

U.S.D.J